

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PETE SCHIAVONE,

Plaintiff,

v.

No. 2:17-cv-01188-CG-KRS

VINCE PATTERSON,
individually and d/b/a CLASSIC
INVESTMENTS, a Texas business,

Defendant.

SCEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on February 22, 2018. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan as modified herein.

IT IS, THEREFORE, ORDERED that the parties shall adhere to the following discovery plan:

- (a) Maximum of 30 interrogatories per party with responses due 30 days after service.
- (b) Maximum of 30 requests for admission per party with responses due 30 days after service.
- (c) The Court will not limit the number of requests for production at this time with the caveat that if the total number of requests becomes unreasonable, the aggrieved party may seek relief with the Court.
- (d) Maximum of ten (10) depositions per party not to exceed the durational limitation in Fed. R. Civ. P. 30.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Deadline for Plaintiff to amend join other parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **April 20, 2018;**
- (b) Deadline for Defendants to amend join other parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **May 25, 2018;**
- (c) Plaintiff's expert-disclosure deadline: **July 20, 2018;**
- (d) Defendant's expert-disclosure: **August 17, 2018;**
- (e) Deadline for supplementing discovery/disclosures: **Within 30 days of receiving information requiring supplementation.**
- (f) Termination of discovery on the specific issue of "assets, if any, held by Defendant securing monies invested and loaned by Plaintiff to Defendant pursuant to the joint venture": **April 20, 2018;**
- (g) Termination of discovery on all other issues: **September 14, 2018;**
- (h) Motions relating to discovery: **October 15, 2018;**
- (i) All other motions, including dispositive and *Daubert* motions: **November 15, 2018;**
- (j) Pretrial order: Plaintiff to Defendant by: **December 28, 2019;**
Defendant to Court by: **January 4, 2019.**

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery. Requests by a party to change the timing or scope of discovery must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date so that the response to that request

shall be due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the 21-day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE